

SECTION 10: DEFINITIONS

SECTION 10.01 USAGE & INTERPRETATION

- (a) **Usage.** The definitions within this Section 10 are intended to provide descriptions for words and terms used within this Subdivision Ordinance. Absent any conflict, words and terms used in this Subdivision Ordinance shall have the meanings ascribed thereto in this Section 10.
- (b) **Conflicts.** When words and terms are defined herein, and are also defined in other ordinance(s) of the City, they shall be read in harmony unless there exists an irreconcilable conflict, in which case the definition contained in this Section 10 shall control.
- (c) **Present and Past Tenses.** Words used in the present tense include the future; words in the singular number include the plural number, and words used in the plural number include the singular number.
- (d) **Usage of Shall and May.** The word shall is mandatory and not directory. The word may is directory and not mandatory.
- (e) **Words Not Defined.** For any definition not listed in this Section 10, the definition found within the latest edition of Webster's Dictionary shall be used.
- (f) **Certain Terms and Words.** Certain terms and words are to be used and interpreted as described and/or defined within the sections of this Subdivision Ordinance wherein they apply to certain regulations.

SECTION 10.02 DEFINITIONS

- (a) **Definitions.** The following definitions shall apply to terms and words used within this Subdivision Ordinance.

100-Year Floodplain. The flood having a one percent (1%) chance of being equaled or exceeded in any given year, based upon a fully developed watershed and the City's criteria to accommodate a 100-year storm in a Major Creek.

Abutting. Adjacent, adjoining and contiguous to. It may also mean having a lot line in common with a right-of-way or easement, or with a physical improvement such as a street, waterline, park, or open space.

Access. A means of approaching or entering a property, or the ability to traverse a property (such as in the use of the phrase pedestrian access easement).

Alley. A minor right-of-way, generally dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for utility service purposes.

Amending Plat. See *Plat, Amending*.



Amenity. Aesthetic or other physical improvements to a development that increase its quality, desirability, and/or marketability to the public, and that are described within Section 8.11(c)(1) of this Ordinance.

Appeal. A request for review of and relief from any decision applying a provision of this Ordinance.

Applicant. The person or entity responsible for the submission of an application. The applicant must be the actual owner of the property for which an application is submitted, or shall be a duly authorized representative of the property owner. Also see *Developer*.

Application (also Development Application, Plat Application). The package of materials, including but not limited to an Application Form, a Plat, completed checklist, Tax Certificate, Construction Plans, special drawings or studies, and other informational materials, that is required by the City to initiate City review and approval of a development project.

Application Form. The written form (as provided by and as may be amended by the City) that is filled out and executed by the Applicant and submitted to the City along with other required materials as a part of an application.

Application, Complete. See *Complete Application*.

Approval. Approval constitutes a determination by the official, board, commission or City Council responsible for such determination that the application is in compliance with the minimum provisions of this Ordinance. *NOTE:* Such approval does not constitute approval of the engineering or surveying contained in the plans, as the design engineer or surveyor that sealed the plans is responsible for the adequacy of such plans.

Arterial Street. See *Thoroughfare, Major or Minor*.

Block. A grouping of residential lots (and their alleys) that are partially or fully surrounded by one or more streets. A block consists of one or two tiers of lots. Lots that are separated by an alley are in the same block, but lots that are separated by a street are in different blocks.

Buffer. An area of permanent native vegetation that is adjacent to a water course and/or wetland that is managed to maintain the integrity of the water course and/or wetland to reduce the impact of upland sources by:

- a. Trapping, filtering and converting pollutants;
- b. Reducing sediment loads;
- c. Reducing runoff velocity;
- d. Stabilize stream banks and wetland edges;
- e. Reduce water temperatures; and
- f. Provide habitat for urban wildlife.

Building. Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or property. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

Building Line. A line parallel, or approximately parallel, to any front lot line at a specific distance therefrom, marking the minimum distance from the front lot line that a building may be erected.

Building Permit. An official certificate issued by the City through the Chief Building Official that indicates conformance with or approved conditional waiver from City regulations and authorizes construction of buildings or other described construction on the premises for which it is issued.

Centerline, Streets or Alleys. An imaginary line erected midway between the bounding right-of-way lines of a street or alley. Where the bounding right-of-way lines are irregular, the centerline is to be determined by the Director of Engineering Services.

Certificate of Occupancy. An official certificate issued by the City through the Chief Building Official that indicates conformance with or approved conditional waiver from City regulations and authorizes legal use of the premises for which it is issued; may be referred to as an Occupancy Permit.

Chief Building Official. The person(s) so designated by the Director of Development Services to provide oversight for and have responsibility of the Building Inspections Division of the Development Services Department; such official issues Building Permits and Certificates of Occupancy and enforces the Zoning Ordinance, Building Code, and any applicable provisions of this Subdivision Ordinance. This term shall also include any designee of the Chief Building Official.

City. The City of Frisco, Texas, unless otherwise specified in the regulation.

City Attorney. The person(s) so designated by the City Council to provide oversight for and have legal responsibility for the City. This term shall also include any designee of the City Attorney.

City Council. The elected body that governs the City under State law and City Charter and that is duly authorized to operate in the manner prescribed by City ordinances and resolutions. The term *City Council* as used within this Subdivision Ordinance shall mean the City Council of the City of Frisco.

City Engineer. See *Director of Engineering Services*.

City Manager. The person(s) so designated by the City Council, or the City Manager's designee.

City Planner. See *Director of Development Services*.

Collector Street. Those streets which carry traffic from local streets to major thoroughfares and freeways. Such streets shall also be as described within the City's *Comprehensive Plan* and *Thoroughfare and Circulation Design Requirements*. Also may be referred to as a *Type C Thoroughfare* or *Type D Thoroughfare*.

Commenced/Commencement. Refers to the beginning of the development (or construction) of a subdivision; the initial disturbance of soils associated with clearing, grading, or excavating activities.

Commission. The Planning & Zoning Commission of the City of Frisco. See *Planning & Zoning Commission*.



Complete Application. An application that meets the standards of this Subdivision Ordinance, and has been deemed complete by the City in accordance with Section 3.03 of this Ordinance and the Texas Local Government Code, Chapter 245, or successor statute.

Comprehensive Plan. The City's officially adopted Comprehensive Plan which includes policies, in written and graphic form, on (but not limited to) thoroughfares, land use, parks, open space, hike and bicycle trails, and other facets of the City's physical form; such policies govern the future development of the City and consist of various components governing specific geographic areas, functions, and services of the City.

Construction. See *Development*.

Construction Plans. The drawings and technical specifications that conform to this Ordinance and all other applicable ordinances of the City. Construction Plans, including bid documents, contract conditions, and escrow agreements, where applicable, provide a graphic and written description of the character and scope of the work to be performed in construction of a development.

Conveyance Plat. See *Plat, Conveyance*.

Construction Release. Official authorization by the City, through the Director of Engineering Services, that indicates conformance with City regulations and authorizes construction of improvements or other described construction, in conformance with approved Construction Plans, on the premises for which it is given.

Corner Lot. See *Lot, Corner*.

Cul-De-Sac. Cul-de-sac shall mean a *Local Street* (see definition) having only one vehicular access to another street and terminated by a vehicular turn-around.

Day, Business. Shall be defined as Monday through Friday, excluding City-recognized holidays.

Day, Calendar. Each day of a particular calendar year.

Dead End Street. Dead end street shall mean a street, other than a cul-de-sac, with only one outlet.

Deed Restriction. A limitation on the use of land set forth or referred to in the title deed of such land. Such limitations run with the land and are binding upon present and subsequent owners of the land. Deed restrictions are not enforced by the City.

Developer. A person or entity, limited to the property owner or duly authorized representative thereof, who proposes to undertake or undertakes the division or improvement of land and/or other activities covered by this Subdivision Ordinance so as to constitute a *subdivision*, including the preparation of a plat showing the layout of the land and the public improvements involved therein. The word *developer* is intended to include the terms *subdivider*, *property owner*, and, when submitting platting documents, *applicant*.

Development. Any activities related to the platting or physical subdivision of land including the construction, reconstruction, conversion, or enlargement of buildings or structures; the construction of impervious surfaces (e.g., parking lots); the installation of utilities, roadways, drainage facilities or other infrastructure; or any disturbance of the surface or subsurface of the

land in preparation for such construction activities, including grading, drainage, storage, paving, clearing, filling, and/or removal of vegetation or soil, and any mining, dredging, excavation or drilling operations.

Development Agreement. An agreement authorized and in accordance with Section 212.172 of the Texas Local Government Code between the City and a property owner within the City or in the ETJ.

Development Application. An application for any type of plat or construction plan/drawing authorized or addressed by this Subdivision Ordinance. Also may be referred to as a *permit* within the Texas Local Government Code, Chapter 245.

Development Plat. See *Plat, Development*.

Director of Engineering Services. The person(s) so designated by the City Manager to provide oversight for and have responsibility of the Engineering Services Department; as used for responsibility and review purposes within this Subdivision Ordinance, this term shall also include any designee of the Director of Engineering Services.

Director of Parks & Recreation. The person(s) so designated by the City Manager to provide oversight for and have responsibility of the Parks & Recreation Department; as used for responsibility and review purposes within this Subdivision Ordinance, this term shall also include any designee of the Director of Parks & Recreation.

Director of Development Services. The person(s) so designated by the City Manager to provide oversight for and have responsibility of the Development Services Department; as used for responsibility and review purposes within this Subdivision Ordinance, this term shall also include any designee of the Director of Development Services.

Director of Public Works. The person(s) so designated by the City Manager to provide oversight for and have responsibility of the Public Works Department; as used for responsibility and review purposes within this Subdivision Ordinance, this term shall also include any designee of the Director of Public Works.

Double-Frontage Lot. See *Lot, Double Frontage*.

Driveway. A paved entranceway serving primarily vehicles that allows for access to a lot or facility, and is intended for vehicular movements between the roadway and any portion outside the street right-of-way.

Easement. A right granted to the City, to the public generally, and/or to a private entity for the purpose of limited public or semi-public use across, over, or under private land.

EDSCD. See *Engineering Design Standards and Construction Details*.

Engineer. A person who has been duly licensed by the Texas Board of Professional Engineers to engage in the practice of engineering in the State of Texas. (Also known as *Professional Engineer, Registered Engineer, Registered Professional Engineer, or Licensed Engineer*.)

Engineering Design Standards and Construction Details. A document adopted by City Council by resolution or ordinance, which is intended to establish standards for the design and construction of public facilities.



ETJ. See *Extraterritorial Jurisdiction*.

Exemption. A specified reason why a particular development is not subject to the requirements to plat or to a specific provision of this Ordinance.

Extraterritorial Jurisdiction (ETJ). The unincorporated area, not a part of any other municipality, which is contiguous to the corporate limits of the City, the outer limits of which are measured from the extremities of the corporate limits of the City outward for the distance as stipulated in Chapter 42 of the Texas Local Government Code, according to the population of the City, and in which area the City may regulate subdivisions and enjoin violation of provisions of this Subdivision Ordinance.

Facility(s). Infrastructure and other structures that support a development including, but not limited to, water distribution lines, sanitary sewer collection lines, storm sewer lines and other storm water management devices, thoroughfares, sidewalks, private utilities, etc.

Fence, Ornamental Metal. A decorative metal (such as "wrought iron") fence that shall be constructed of solid stock materials or tubular steel with minimum 16-gauge pickets, 11-gauge posts, and masonry support columns at maximum thirty feet (30') on center. Shall not include "chain link" type fencing.

File/Filed/Filing. See *Official Filing Date and Submission*.

Final Plat. See *Plat, Final*.

Fire Chief. The person(s) so designated by the City Manager to provide oversight for and have responsibility of the Fire Department; as used for responsibility and review purposes within this Subdivision Ordinance, this term shall also include any designee of the Fire Chief.

Fire Lane. See definition in the City's adopted Fire Code.

Flag Lot. See *Lot, Flag*.

Front Lot Line. See *Lot Line, Front*.

Habitat Study. A study in which the main purpose is the identification and protection of declared, critical habitat for threatened or endangered species and habitat used for nesting by birds listed in the Migratory Bird Treaty Act (MBTA).

Hike & Bicycle Trail Master Plan. The City's officially adopted Plan which includes policies in graphic and text form; such policies govern the future development of the City's hike-and-bike trail system.

Homeowners' Association (HOA). A community association which is organized within a development in which individual owners share common interests and responsibilities for open space, landscaping, amenities or facilities, and which operates under recorded land agreements. This term also includes Property Owners' Associations (POAs) and Property Management Corporations (PMCs) which are more typically formed for multi-family and nonresidential developments.

Improvement. Any man-made fixed item which becomes part of or placed upon real property.

Improvement Agreement. A legally binding document that is required by this Ordinance under Section 5.04 whenever public improvements to serve a development are deferred until after Final Plat approval and recordation. Such document outlines the developer's acknowledged responsibility to complete and warranty improvements and to provide financial security for such improvements.

Improvement, Public. Any improvement, facility or service together with its associated public site, right-of-way or easement necessary to provide transportation, storm drainage, public or private utilities, parks or recreational, energy or similar essential public services and facilities, for which the City ultimately assumes the responsibility, upon a Letter of Final Acceptance being issued, for maintenance, operation and/or ownership.

Interior Lot. See *Lot, Interior*.

iSWM. The acronym for integrated Storm Water Management, which is a guide for the construction and design of developments. This guide is intended to help mitigate the impact of developments on storm water runoff by considering such runoff during early site planning and design phases. This guide was created by the North Central Texas Council of Governments (NCTCOG).

Key Lot. See *Lot, Key*.

Local Street. A street that is intended to provide a high level of access to adjacent developments and, generally, a low level of mobility. Such streets shall also be as described within the City's *Comprehensive Plan* and *Thoroughfare and Circulation Design Requirements*.

Lot. An undivided tract or parcel of land that is or may be offered for sale, conveyance, or improvement and is occupied or intended to be occupied by a building or group of buildings. A lot has its principal frontage on a public street or officially approved private street, as shown on a plat of record or described by metes and bounds.

Lot, Corner. A lot which has at least two adjacent sides abutting for their full lengths on a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five degrees (135°).

Lot Depth. The horizontal distance measured perpendicularly between two points on the front lot line and two points on the rear lot line which creates an area that meets (or exceeds) the zoning district's minimum width and depth requirements. Lot depth shall not include easements which are located behind the front building line that impair the use of the lot surface as a yard.

Lot, Double Frontage. A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

Lot, Flag. A lot having access to a street by means of a parcel of land having a depth greater than its frontage, and having a width less than the minimum required lot width. May also be referred to as a Panhandle Lot. (See Diagram 8.09-1)

Lot, Interior. A lot other than a corner lot.

Lot, Key. A corner lot that is designed such that the lots located directly behind it face the side street of the corner lot and are not separated by an alley.



Lot Frontage. That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

Lot Line, Front. The narrower side of the lot abutting a street. Where two (2) lot lines abutting streets are of equal length, the owner shall have a choice in designating which shall be designated as the *Front Lot Line*, and therefore the lot frontage. For a lot which has a boundary line which does not abut the front street line, is not a rear lot line and lies along the same general directional orientation as the front and rear lot lines, said line shall be considered a front lot line in establishing minimum setback lines. (see Zoning Ordinance, Article VI, Appendix 1, Illustration #10).

Lot Line, Rear. The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero. (see Zoning Ordinance, Article VI, Appendix 1, Illustration #12)

Lot Line, Side. Any lot line not the front or rear lot line.

Lot Lines. The lines bounding a lot as defined herein. May also be referred to as a *Property Line*.

Lot of Record. A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Clerk of Collin or Denton County or a lot subdivided by metes and bounds description prior to February 1984.

Lot Width. The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line that is closest to the front lot line. (see Zoning Ordinance, Article VI, Appendix 1, Illustration #10)

Major Creek. The term Major Creek shall include the primary channel and all headwaters (i.e., tributaries as defined by the City's Riparian and Wetland Assessment, as it exists or may be amended) of those creeks commonly known as Cottonwood Creek, Panther Creek, Parvin Branch, Rowlett Creek, Whiterock Creek, and Stewart Creek (See Diagram 8.03-1).

Major Thoroughfare. See *Thoroughfare, Major*.

Maximum. For the purposes of this Ordinance, "the maximum" is the amount that is required by this ordinance of a developer but a developer may choose to construct or provide less than the maximum, unless otherwise specified.

Metes and Bounds. A method of describing the boundaries of land by directions and distances from a known point of reference.

Minimum. For the purposes of this Ordinance, "the minimum" is the amount that is required of a developer but a developer may choose to construct or provide additionally above the minimum required, unless otherwise specified.

Minor Plat. See *Plat, Minor*.

Minor Thoroughfare. See *Thoroughfare, Minor*.

MS4. The acronym for the City's Municipal Separate Storm Sewer System.

Off-Site. Any premises not located within the area of the property to be subdivided, whether or not in common ownership with the applicant submitting an application.

Official Filing Date. The date an application is deemed complete by the responsible official in the manner prescribed by Section 3.03 of this Subdivision Ordinance.

Open Space. Any land parcel or natural area that is set aside, dedicated, designated or reserved for public use and enjoyment, or for private use and enjoyment of owners and occupants of the land adjoining or neighboring such open space area. Open Space shall have no dimension less than fifty feet (50') in any direction, and shall not include remnant property unless it is noted for thoroughfare screening or natural areas where the topography is not impacted, in which case it may be less than fifty feet (50') in width.

Ordinance (also referred to as "this Ordinance"). Refers to this Subdivision Ordinance of the City, as may be amended in the future.

Park or Playground. An area developed for active or passive play and recreation that includes open space, sports courts or fields, play equipment, and trails.

Parks, Recreation & Open Space Master Plan. The City's officially adopted Plan which includes policies in graphic and text form; such policies govern the future development of the City's parks, recreation and open space system.

Pedestrian Access. A specifically designated place, path, means, or way by which pedestrians shall be provided safe, adequate, and usable circulation through the interior of a property or development.

Permit. A license, certificate, approval, registration, consent, permit, contract or other agreement for the construction or provision of service from a utility owned, operated, or controlled by the City, or other form of authorization required by law, rule, regulation, order, or ordinance, which has been approved by the City, that a person or entity must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought, and for which the application for the permit or information required to be submitted for consideration provides notice of the project to the City.

Planning & Zoning Commission. A decision-making body appointed by the City Council which is responsible for subdivision approval, as permitted by State law, and which has any other authority conferred upon it by the City Charter, this Ordinance, or other regulation of the City.

Plat. A plan which shows the exact layout and proposed construction of a proposed development into one or more lots, blocks, streets, parks, school sites, easements, alleys and/or any other elements as required by this Ordinance, including any engineering or construction standards for related improvements, and which conforms to all requirements of this Ordinance and any other applicable City ordinance, and which is subject to approval by the Planning & Zoning Commission, unless otherwise specified.

Plat, Amending. A plat with minor changes to a recorded subdivision as itemized and authorized in Section 4.08 of this Ordinance.

Plat, Conveyance. A plat which conforms to Section 4.04 of this Subdivision Ordinance and is used solely for the purpose of subdividing land and the recording of same, or recording a single existing lot or parcel created by other means. Such plat is used to convey the property or



interests therein and is for property intended for immediate development. A Conveyance Plat is an interim step in the subdivision and development of land.

Plat, Final. A plat which conforms to Section 4.03 of this Subdivision Ordinance and is submitted to the City for consideration for final approval by the Planning & Zoning Commission. The plat illustrates that the subdivision of land is consistent with all standards of this Subdivision Ordinance pertaining to the adequacy of public facilities and the installation of or provision for public improvements. Once approved, such plat is submitted to the County Clerk of Collin or Denton County, as applicable, for recording.

Plat, Minor. A plat dividing land into no more than four (4) lots that meets the submission and approval requirements of Section 4.05 of this Ordinance. Such plat may be approved by the Director of Development Services. Such plat is also considered a Final Plat.

Plat, Preliminary. A plat which conforms to Section 4.02 of this Subdivision Ordinance and is submitted to the City for consideration for initial approval by the Planning & Zoning Commission. Such plat is not to be recorded, but illustrates the general layout of a proposed subdivision, the adequacy of public facilities needed to serve the proposed subdivision, and the overall compliance of the applicable requirements of this Ordinance. Such plat is reviewed and decided prior to approval of a Final Plat.

Private Street. See *Street, Private*.

Private Utility. See *Utility, Private*.

Progress (Towards Completion). Shall have the same meaning set forth in Section 245.005(c) of the Texas Local Government Code, as it exists or may be amended, unless another meaning is specified.

Project. An endeavor over which the City exerts its jurisdiction and for which more than one permit is required to initiate, continue, or complete the endeavor.

Property Owner. The legally recognized proprietor of the land for which an application is being submitted. Also see *Developer*.

Proportionality/Proportional Share. The developer's portion of the costs of an exaction or public improvement as determined and in accordance with Texas Local Government Code 212.904 and considered to be the "roughly proportional share" of such exaction or public improvement that is created by a proposed development or subdivision.

Public Improvement. See *Improvement, Public*.

Public Way. An officially approved, privately maintained street, constructed to City street standards, open to unrestricted and irrevocable public access, serving two (2) or more lots that provides the primary means of access and providing fire lane and utility easements.

Rear Lot Line. See *Lot Line, Rear*.

Record Drawings. A group of drawings or plans that depicts the final configuration of the installed or constructed improvements of a development, improvements which have been verified by the contractor as their installation or construction occurs during development. The record

drawings shall reflect the construction plans (or working drawings) used, corrected, and/or clarified in the field.

Replat. The re-subdivision of any or part or all of any block or blocks of a previously platted subdivision, addition, lot or tract, that is beyond the definition of an Amending Plat and which does not require the vacation of the entire preceding plat. Such plat also conforms to Section 4.07 of this Subdivision Ordinance. A Replat can function as a Final Plat for a property.

Responsible Official. The City staff person who has been designated by the City Manager to perform one (1) or more of the following tasks (this term also includes designees):

- (a) Accept an application for filing;
- (b) Review and make recommendations concerning such application;
- (c) Where authorized, to initially decide such applications;
- (d) Initiate enforcement actions;
- (e) Take all other actions necessary for administration of the provisions of this Subdivision Ordinance with respect to such application.

Right-of-Way. A use of land dedicated by plat or metes and bounds to and for use by the public, which is separate and distinct from the lots and parcel abutting it, and which is not included within the dimensions or areas of such lots or parcels. Generally describes an area used for the provision of streets and utilities. Unless otherwise specified, the term *right-of-way* shall refer to a public right-of-way.

Riparian Study. An ecologically based study that addresses the three major components of a stream (channel, floodplain and transitional upland fringe).

Road, or Roadway. See *Street*.

Screening. A barrier intended to separate and limit visibility between that which is on either side of the barrier, for example, a thoroughfare and adjacent land uses.

Side Lot Line. See *Lot Line, Side*.

Street. An access way for vehicular traffic and other public uses, whether designated a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated. An alley is not considered a street.

Street, Improved. A street that has been constructed or reconstructed to meet the City's minimum standards regarding right-of-way width, pavement width, and/or pavement type, as defined in the *Thoroughfare and Circulation Design Requirements* and the *Engineering Design Standards and Construction Details*.

Street, Private. A privately owned street within a subdivision for which the private owners assume full responsibility for maintenance and control and which has not been dedicated to the use of the public. This term is inclusive of related alleys.

Street, Stub. A street that has been designed to allow for the future extension of the street through subsequent subdivisions.



Street, Substandard. An existing street that does not meet the current minimum street standards of the City.

Street, Unimproved. A street that does not meet the City's minimum standards regarding right-of-way width, pavement width, and/or pavement type, as defined in the *Thoroughfare and Circulation Design Requirements* and the *Engineering Design Standards and Construction Details*. Most unimproved streets are former country roads that were built before an area was annexed into the City limits and/or before the City implemented thoroughfare design standards.

Subdivide.

(a) Is the following when done for the purpose of sale, conveyance, or development:

- i. The division of any tract of land into two (2) or more tracts or lots; or
- ii. The assembly of two (2) or more tracts of land into one tract or lot.

(b) Is the following with regard to changes to a recorded subdivision plat:

- i. A resubdivision of all or part of the subdivision;
- ii. Any change of lot size or lot lines; or
- iii. The relocation of any street.

Subdivider. See *Developer*.

Subdivision. The division of a tract or parcel of land into two or more parts or lots for the purpose, whether immediate or future, of sale or building development or transfer of ownership with the exception of transfer to heirs of an estate, and shall include re-subdivision.

Submission. The date an applicant delivers an application or petition under this Ordinance to the Director of the applicable City Department, or the date on which an applicant deposits an application or petition with the United States Postal Service by certified mail addressed to the Director of the applicable City Department, along with all required fees and documents.

Substandard. A condition of a road or other public improvement that does not meet the City's current right-of-way, design, capacity or construction standard(s).

Surety. A bond, letter of credit, or letter of financial guarantee from a financial institution.

TCEQ. The acronym for the Texas Commission on Environmental Quality.

Thoroughfare. A general term for a street (see Street), which has a more specific meaning when used in conjunction with a class distinction, such as Major, Minor, Type A, Type B, etc. Each class provides a certain degree of continuity, capacity and accessibility to adjacent land uses.

Thoroughfare and Circulation Design Requirements. The design standards that define how streets, driveways, alleys and sidewalks shall be built in the City of Frisco. This includes but is not limited to street width, length, curvature and design speed, as well as median opening spacing, driveway spacing, and turn lane length.

Thoroughfare, Major. An arterial street designed to accommodate cross-City traffic movement, distributing traffic to and from minor thoroughfares and collector streets. Major Thoroughfares are divided roadways that typically have an ultimate width of six lanes. Such streets shall also be

as described within the City's Thoroughfare and Circulation Design Requirements, and as shown on the Thoroughfare Plan Map. Also is referred to as a Type A Thoroughfare.

Thoroughfare, Minor. An arterial street designed to accommodate neighborhood-to-neighborhood (intra-City) traffic movement, distributing traffic to and from collector streets. Minor Thoroughfares are divided roadways that typically have an ultimate width of four lanes. Such streets shall also be as described within the City's Thoroughfare and Circulation Design Requirements, and as shown on the Thoroughfare Plan Map. Also is referred to as a Type B Thoroughfare.

Thoroughfare Plan Map. A component of the City's Comprehensive Plan that generally represents the proposed grid-system of major and minor thoroughfares that will support the Future Land Use Plan. The exact locations of future roadways cannot be determined without engineering and environmental analysis, but the Map should be used as a guide as development occurs in terms of how connections should be made and by what type of thoroughfare. The Thoroughfare Plan Map also shows existing railroads and proposed transit rail stations.

Thoroughfare Screening. Screening (see definition), both landscaping and screening walls/fences, between lots/subdivisions and major thoroughfares as required by Section 8.06 of this Ordinance.

Tributary. A riparian branch that feeds (i.e., flows into) a Major Creek, as identified and defined in the City's Riparian Study, as amended.

TxDOT: The acronym for the Texas Department of Transportation.

Type A Thoroughfare. See *Thoroughfare, Major*.

Type B Thoroughfare. See *Thoroughfare, Minor*.

Type C Thoroughfare. See *Collector Street*.

Type D Thoroughfare. See *Collector Street*.

Type E Thoroughfare. See *Local Street*.

Type F Thoroughfare. See *Local Street*.

Type G Thoroughfare. See *Local Street*.

Utility, Private. Services, and any related facilities (e.g., distribution lines), not customarily provided by the City or public entities; such services generally include electricity, natural gas, and telecommunications.

Utility, Public. Services, and any related facilities (e.g., distribution lines), typically provided by the City, County, or publicly owned entity; such services include potable water distribution, wastewater collection, and storm water management.

Variance. As defined in the Zoning Ordinance.

Vegetative Study. A study in which the main purpose is identification and consideration of unique vegetative communities that are important for conserving biotic diversity and are rare due to conversion to other land uses.



Vested Right. A right of an applicant in accordance with Chapter 245 of the Texas Local Government Code, as amended, requiring the City to review and decide the application under standards in effect prior to the effective date of the standards of this Chapter and/or of any subsequent amendments.

Vested Rights Petition. A request for relief from any standard or requirement of this Subdivision Ordinance based on an assertion that the applicant (petitioner for relief) has acquired a vested right. Such petition is regulated under Section 9.03 of this Ordinance.

Violation. Any failure to fully comply with this Subdivision Ordinance.

Waiver, Major (Major Waiver). A significant change to both the standards and intent of this Subdivision Ordinance, which involves Planning & Zoning Commission approval. A Major Waiver includes any type of waiver that is not specifically listed in Table 9.01-1.

Waiver, Minor (Minor Waiver). A minor change to the standards, but not the intent, of this Subdivision Ordinance, which involves Director of Development Services or Director of Engineering Services (as applicable) approval unless otherwise noted. An exclusive list of Minor Waivers is shown in Table 9.01-1.

Wetland. An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wetland Delineation Study. A study in which the main purposes are to determine jurisdictional wetlands and to ensure compliance with Section 404 of the Clean Water Act and other applicable regulations of the U.S. Army Corps of Engineers.

Zoning Ordinance. The City's *Comprehensive Zoning Ordinance*.